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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/851,867	05/09/2001	Hikmet Senay	36287-01500	4958

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EXAMINER

LEWIS, ADAM M

ART UNIT

PAPER NUMBER

2174

DATE MAILED: 01/29/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/851,867

Applicant(s)

SENAY, HIKMET

Examiner

Adam M. Lewis

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 05 September 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. §§ 119 and 120**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
- a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 2,4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other:

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 2, 4, 5, 7-9, 11-13, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Besaw et al. ("Besaw", US 5,276,789).

As per independent claim 1, Besaw teaches a method for graphically representing interactions between units within an organization, which comprises:

providing a graphical object corresponding to each unit (Besaw, Figs. 2-5; col. 5, lines 26-33; col. 5, lines 51-56);

positioning said graphical objects to correspond to the relative positions of the units within the organizational hierarchy (Besaw, Fig. 2; col. 5, lines 26-33);

varying graphical properties of said graphical objects to correspond to preselected attributes of the units (Besaw, Figs. 2-5; col. 5, lines 38-44); and

displaying on a display screen said graphical objects and interactions between the units represented by said graphical objects (Besaw, Figs. 2-5).

Said preselected attributes include the type of segment or connection, i.e., cluster, gateway, hub, node, or interconnection.

Independent claim 5 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As per claim 2, which is dependent on claim 1, Besaw teaches the method of claim 1, wherein said preselected attributes of the units includes degree of interactions of members constituting each unit (Besaw, Figs. 2-5).

In the invention of Besaw, there are two degrees of interaction: a connection between two network devices, or no connection between two network devices.

As per claim 4, which is dependent on claim 1, Besaw teaches the method of claim 1, which further comprises providing for user selection of a portion of said display screen such that only those graphical objects within said user selected portion of said display screen are displayed (Besaw, Fig. 4; col. 6, lines 32-40).

Dependent claims 7 and 11 are similar in scope to claim 4, and are therefore rejected under similar rationale.

As per claim 8, which is dependent on claim 5, Besaw teaches the method of claim 5, which further comprises allowing for user selection of one of said other related units such that interactions between members of said selected unit is graphically represented (Besaw, Fig. 4; col. 6, lines 32-40).

As per independent claim 9, Besaw teaches a method for graphically representing interactions between a member and other members within an organization, which comprises:

providing graphical objects corresponding to the interacting members (Besaw, Figs. 2-5; col. 5, lines 26-33; col. 5, lines 51-56);

varying graphical properties of said graphical objects to correspond to preselected attributes of the members (Besaw, Figs. 2-5; col. 5, lines 38-44);

displaying on a display screen said graphical objects (Besaw, col. 3, lines 52-68);  
and

displaying on said display screen direct interactions between the members and indirect interactions between the members to a preselected depth level (Besaw, Figs. 2-5).

As per claim 12, which is dependent on claim 9, Besaw teaches the method of claim 9, wherein said preselected depth level may be user selected (Besaw, col. 6, lines 22-40).

As per independent claim 16, Besaw teaches a method for graphically representing interactions between members of units within an organization, which comprises:

providing graphical objects corresponding to the members (Besaw, Figs. 2-5; col. 5, lines 26-33; col. 5, lines 51-56);

positioning said graphical objects such that the members of each unit are clustered together (Besaw, Fig. 2; col. 5, lines 26-33);

varying graphical properties of said graphical objects based on connectivity and diversity measures of the corresponding members (Besaw, Figs. 2-5; col. 5, lines 38-44); and

displaying on a display screen said graphical objects (Besaw, Figs. 2-5, col. 3, lines 52-68).

In the invention of Besaw, the diversity measures are embodied by the display node type as well as the number of connections it has to other display nodes.

As per independent claim 13, Besaw teaches a method for graphically representing interactions between hypothetical units within an organization, which comprises:

forming the hypothetical units based on analysis of interaction data between members of actual units within the organization (Besaw, Figs. 2-4; col. 5, lines 26-33);

providing a graphical object corresponding to each hypothetical unit (Besaw, Figs. 2-4);

varying graphical properties of said graphical objects to correspond to preselected attributes of the hypothetical units (Besaw, Figs. 2-5; col. 5, lines 38-44);  
and

displaying on a display screen said graphical objects and interactions between the hypothetical units represented by said graphical objects (Besaw, Figs. 2-5, col. 3, lines 52-68).

In the invention of Besaw, the hypothetical unit is embodied by a cluster of network objects.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 6, 10, 14, 15, 17, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Besaw in view of Bereiter ("Bereiter", US# 5,909,217).

As per claim 3, which is dependent on claim 1, Besaw fails to teach the method of claim 1, wherein said graphical properties of said graphical objects varied includes size of said graphical objects and color of said graphical objects.

However, Bereiter teaches a map that shows a network of nodes displayed individually as contiguous pixels which are grouped into variable size regions or groups (Bereiter, col. 4, lines 10-18). Bereiter further teaches color to denote different properties of specific nodes or workstations (Bereiter, col. 4, lines 55-65).

It would have been obvious to one skilled in the art at the time of invention to include the variable size and color system of Bereiter in the visual network mapping system of Besaw because it would provide more readily available visual feedback to the user.

Dependent claims 6, 10, 14, and 17 are similar in scope to claim 3, and are therefore rejected under similar rationale.

As per claim 15, which is dependent on claim 14, Besaw further teaches the method of claim 14, wherein each said graphical object displays the actual units within the organization whose members form the corresponding hypothetical unit (Besaw, Figs. 3-4; col. 6, lines 22-40).

As per claim 18, which is dependent on claim 17, the invention of Besaw and Bereiter teaches the use of size and color to denote attributes of objects in the network map. Besaw and Bereiter fail to teach size being based on the connectivity measure and color being based on the diversity measure.

OFFICIAL NOTICE is given that the use of size and shape of on screen objects to denote specific attributes is well known in the art. It would have been obvious to one skilled in the art at the time of invention to use the size and shape of an on screen object to denote specific attributes because it would provide the user with immediate visual feedback.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Pfeil et al. (US# 5,845,277) teaches the production of statistically based network maps.

Jacoby (US# 5,768,552) teaches a graphical representation of computer network topology and activity.

Lyness (US# 6,496,842) teaches navigating hierarchically organized information.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Adam M. Lewis whose telephone number is 703-305-0720. The examiner can normally be reached on M-Th 7:00-4:30, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on 703-308-0640. The fax phone number for the organization where this application or proceeding is assigned is 703-746-7239.



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Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

al

*Kristine Kincaid*  
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